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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,744	01/26/2001	Richard William Falla Le Page	62785.00004	7580

21967 7590 09/07/2005

HUNTON & WILLIAMS LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
1900 K STREET, N.W.  
SUITE 1200  
WASHINGTON, DC 20006-1109

EXAMINER

DEVI, SARVAMANGALA J N

ART UNIT	PAPER NUMBER
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1645

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/769,744	01/26/01	Le Page et al.	62785.00004

Customer Number 21967

EXAMINER	
S. Devi, Ph.D.	
ART UNIT	PAPER NUMBER
1645	08262005

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Patents

Commissioner of

The reply filed 08/15/05 is not fully responsive to the Office communication mailed 08/01/05 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules and/or CRF Diskette Problem Report.

Since the above-mentioned reply appears to be *bona fide*, Applicant is given a TIME PERIOD of **ONE (1) MONTH** or **THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to S. Devi, Ph.D., whose telephone number is (571) 272-0854. A message may be left on the Examiner's voice mail system. The Examiner can normally be reached on Monday-Friday from 7:15 a.m. to 4:15 p.m. (Eastern Time) except one day each bi-week, which would be disclosed on the Examiner's voice mail system.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lynette Smith, can be reached at (571) 272-0864.

An inquiry of a general nature or relating to the status of the application should be directed to the group receptionist whose telephone number is (571) 272-1600.

26 August, 2005

  
S. DEVI, PH.D.  
PRIMARY EXAMINER

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An ~~initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry~~ into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

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To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**

## STIC Biotechnology Systems Branch

### RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/769,744C  
Source: 1FW16  
Date Processed by STIC: 8/19/05

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
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FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 4.2.2 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail. Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom. Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05): U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/24/05



IFW16

## RAW SEQUENCE LISTING

DATE: 08/19/2005

PATENT APPLICATION: US/09/769,744C

TIME: 15:10:47

Input Set : D:\Applic-1.txt

Output Set: N:\CRF4\08182005\I769744C.raw

3 <110> APPLICANT: Microbial Technics Limited  
 4 Le Page, Richard WF  
 5 Wells, Jeremy M  
 6 Hanniffy, Sean B  
 7 Hansbro, Philip M  
 9 <120> TITLE OF INVENTION: Proteins  
 11 <130> FILE REFERENCE: PWC/P21122WO  
 C--> 13 <140> CURRENT APPLICATION NUMBER: US/09/769,744C  
 C--> 14 <141> CURRENT FILING DATE: 2001-01-26  
 16 <150> PRIOR APPLICATION NUMBER: GB 9816336.3  
 17 <151> PRIOR FILING DATE: 1998-07-27  
 19 <150> PRIOR APPLICATION NUMBER: US 60/125329  
 20 <151> PRIOR FILING DATE: 1999-03-19  
 22 <160> NUMBER OF SEQ ID NOS: 196  
 24 <170> SOFTWARE: PatentIn Ver. 2.1

Does Not Comply  
 Corrected Diskette Needed

## ERRORED SEQUENCES

7332 <210> SEQ ID NO: 141  
 7333 <211> LENGTH: 1101 // 100 shown below  
 7334 <212> TYPE: DNA  
 7335 <213> ORGANISM: Streptococcus pneumoniae  
 7337 <400> SEQUENCE: 141  
 7338 atgttattag cgtcaacagt agccttgta tttgccccag tattggcaac tcaagcagaa 60  
 7339 gaagttcttt ggactgcacg tagtggtgag caaatccaaa acgatttgac taaaacggac 120  
 7340 aacaaaacaa gttataccgt acagtatggt gatactttga gcaccattgc agaagccttg 180  
 7341 ggtgtagatg tcacagtgtg tgcgaatctg aacaaaatca ctaatatgga cttgattttc 240  
 7342 ccagaaaactg ttttgacaac gactgtcaat gaagcagaag aagtaacaga agttgaaatc 300  
 7343 caaacacctc aagcagactc tagtgaagaa gtgacaactg cgacagcaga tttgaccact 360  
 7344 aatcaagtga cgttgatga tcaactgtt caggttgacg acctttctca accaattgca 420  
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 7346 ccagaggagc aaacgaccga aacaactcgc ccagttgcag aagaagctcc tcaggaaacg 540  
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 E--> 7356 acgtttcaat gaatggataa 1100

**VERIFICATION SUMMARY**

**PATENT APPLICATION: US/09/769,744C**

**DATE: 08/19/2005**

**TIME: 15:10:48**

**Input Set : D:\Applic-1.txt**

**Output Set: N:\CRF4\08182005\I769744C.raw**

**L:13 M:270 C: Current Application Number differs, Replaced Current Application Number**

**L:14 M:271 C: Current Filing Date differs, Replaced Current Filing Date**

**L:7356 M:252 E: No. of Seq. differs, <211> LENGTH:Input:1101 Found:1100 SEQ:141**

**L:9145 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:182 after pos.:0**